

RECEIVED  
CENTRAL FAX CENTER

OCT 23 2006

REMARKS

Claims 1, 4, 5, 7-9, 11, 12, 14, 15 and 23-25 are still pending in this application. Reconsideration of the application is earnestly requested.

The final office action at page 12 quoted *In re Keller* for the proposition that "one cannot show non-obviousness by attacking references individually where, as here, the rejections are based on combinations of references." But, *Keller* deals with a situation where the appellant was attacking a single reference trying to show that it did not disclose a combination of features; the combination of features were disclosed using a combination of two references.

Applicant is not attacking an individual reference and claiming that a combination of features is not present in that reference as was done in *Keller*. Applicant is arguing that it would not be an obvious matter to simply combine the various systems. Applicant is saying it would not be an obvious matter to take the fixed loading systems of Mondex and the electronic purse, realize that a wireless GSM telephone exists, and then suddenly arrive at the present invention.

Further, the cited references did not disclose any details or means by which value may be loaded onto a smart card in a wireless telephone over a wireless telecommunications network.

Claim 1 requires a subscriber identification module and a smart card inside a mobile telephone handset. The handset is arranged to generate a request message that is authenticated by the authentication computer. Once authenticated, the authentication computer sends a response message back to the handset and value is loaded onto the smart card.

Claim 5 also requires a subscriber identification module and a smart card. The handset generates an authorization request certificate that is authenticated by a funds issuer computer. Once authenticated, the funds issuer computer sends an authentication response certificate back to the handset and value is loaded onto the smart card.

Claim 9 is a method of loading value onto a smart card in a handset that also includes a subscriber identification module. The method includes a funds request message, a load request message and a response message, all used to load value onto the smart card in the handset.

Claim 12 also is a method of loading value onto a smart card in a handset that also includes a subscriber identification module. The method includes a funds request message, an authorization certificate, and an authentication response certificate, all used to load value onto the smart card in the handset.

The cited references do not disclose these details of the above independent claims for carrying out the invention.

Claims 7, 11, 14 and 23

Each of claims 7, 11, 14 and 23 require that a smart card command is implemented as an alphanumeric message integrated within a standard SMS message. In this fashion, a remote terminal may load the smart card or transact a purchase with the smart card just as if the smart card were inserted into the remote device. The commands intended for the smart card are cleverly inserted into an SMS message so that they may be transmitted over a wireless telecommunications network to the mobile telephone and thence to the smart card attached. This feature is neither taught nor suggested by any of the cited references.

Applicant acknowledges that the *Manterfield* reference discloses that SMS messages are alphanumeric messages. Applicant agrees that SMS messages were existing at the time of the present invention; but Applicant is not simply claiming sending a message or data using SMS. The above claims very specific specifically point out that commands intended for the smart card are implemented as an alphanumeric message and an integrated within a standard SMS message. Using this technique, the present invention can transmit important commands and security data (such as cryptographic certificates) to a smart card. SMS is not being used to simply send a text message; it is being used to control operation of a smart card within a mobile telephone. Such a feature is not shown by the *Manterfield* reference. Applicant requests that the rejection of these claims be withdrawn.

Reconsideration of this application and issuance of a Notice of Allowance at an early date are respectfully requested. If the Examiner believes a telephone conference would in any way

OCT-23-2006 17:12

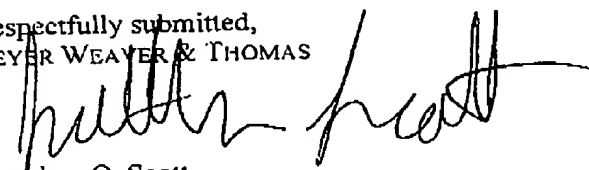
FROM-BEYER WEAVER THOMAS

612-825-6304

T-329 P.012/014 F-578

expedite prosecution, please do not hesitate to telephone the undersigned at (612) 252-3330.

Respectfully submitted,  
BEYER WEAVER & THOMAS

  
Jonathan O. Scott  
Registration No. 39,364

BEYER WEAVER & THOMAS, LLP  
P.O. Box 778  
Berkeley, CA 94704-0778

Telephone: (612) 252-3330  
Facsimile: (612) 825-6304